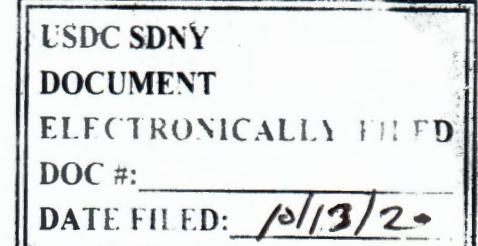


ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FEDERAL TRADE COMMISSION and  
THE PEOPLE OF THE STATE OF NEW  
YORK, by LETITIA JAMES, Attorney  
General of the State of New York,  
Plaintiffs,  
v.  
QUINCY BIOSCIENCE HOLDING  
COMPANY, INC., a corporation;  
QUINCY BIOSCIENCE, LLC, a limited  
liability company;  
PREVAGEN, INC., a corporation  
d/b/a/ SUGAR RIVER SUPPLEMENTS;  
QUINCY BIOSCIENCE  
MANUFACTURING, LLC, a limited  
liability company; and  
MARK UNDERWOOD, individually and as  
an officer of QUINCY BIOSCIENCE  
HOLDING COMPANY, INC., QUINCY  
BIOSCIENCE, LLC, and PREVAGEN,  
INC.,  
Defendants.

Case No. 1:17-cv-00124-LLS



~~PROPOSED~~ STIPULATED ORDER TO EXTEND DEADLINES LLS

WHEREAS Plaintiffs Federal Trade Commission and the People of the State of New York by Letitia James, Attorney General of the State of New York ("Plaintiffs") and Defendants Quincy Bioscience Holding Company, Inc., Quincy Bioscience, LLC, Prevagen Inc., Quincy Bioscience Manufacturing, LLC, and Mark Underwood (collectively, "Defendants") (Plaintiffs and Defendants, collectively, "Parties") have met and conferred with respect to the permissibility and

scope of Defendants' Revised Rule 30(b)(6) Notices of Deposition to Plaintiffs and are at an impasse with respect to Defendants' Revised Notices;

**WHEREAS** Plaintiffs intend to file letter-motions requesting a pre-motion discovery conference pursuant to Local Civil Rule 37.2 seeking protective orders in response to Defendants' Revised Rule 30(b)(6) Notices of Deposition to Plaintiffs ("Plaintiffs' Anticipated Letter-Motions");

**WHEREAS** the Stipulated Order to Extend the Deadline for Rule 30(b)(6) Depositions of Plaintiffs (ECF. No. 130) provides that the deadline for Defendants to complete any Rule 30(b)(6) depositions of Plaintiffs is October 30, 2020; and

**WHEREAS** there have been four prior extensions of various case deadlines in this matter, which this Court has granted in Orders dated March 6, 2017 (to allow Defendants to file a Motion to Dismiss), March 20, 2020 (to allow Defendants to complete document production), June 8, 2020 (to provide for conducting depositions remotely in light of the COVID-19 pandemic, and September 16, 2020 (to allow the Parties to continue to meet and confer on any Rule 30(b)(6) depositions of Plaintiffs and to extend the deadline for such depositions).

**IT IS HEREBY STIPULATED AND AGREED** between and among the Parties, by and through their undersigned counsel, as follows:

1. **Briefing Schedule for Plaintiffs' Anticipated Letter-Motions:** Plaintiffs shall file their Anticipated Letter-Motions by October 20, 2020. Defendants shall file their responses

to Plaintiffs' Anticipated Letter-Motions by October 27, 2020. Plaintiffs shall file their replies by November 3, 2020.

2. **Rule 30(b)(6)Depositions:** The deadline for Defendants to complete any Rule 30(b)(6) depositions of Plaintiffs shall be extended from October 30, 2020 up to and including a date twenty-one (21) days after the Court makes a final ruling regarding the protective orders. However, the Parties agree that any Rule 30(b)(6) depositions of Plaintiffs will not proceed until the Court rules regarding the protective orders. No additional discovery shall be served except for discovery that arises out of any Rule 30(b)(6) depositions of Plaintiffs and/or the negotiations regarding the Rule 30(b)(6) notices.

3. **Status Conference:** The Status Conference currently set for November 9, 2020 at 3:00 p.m. is adjourned to December 14, 2020 at 2 p.m. LLS

**SO STIPULATED:**

Dated: New York, New York  
October 13, 2020

FEDERAL TRADE COMMISSION

/s/ Annette Soberats  
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ANNETTE SOBERATS  
EDWARD GLENNON  
Federal Trade Commission  
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FEDERAL TRADE COMMISSION

PEOPLE OF THE STATE OF NEW YORK  
BY LETITIA JAMES

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FOR KELLEY DRYE

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Prevagen Inc., and  
Quincy Bioscience Manufacturing, LLC*

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*Attorneys for Defendant  
Mark Underwood*

SO ORDERED, this 13<sup>th</sup> day of  
October, 2020,

Louis L. Stanton  
LOUIS STANTON  
UNITED STATES DISTRICT JUDGE